

ZONING AND ADJUSTMENT BOARD

February 18, 2002

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, February 18, 2002 at 6:35 P.M. with the following members present: Larry Story, Chairman, Richard Bradley, Dossie Singleton, Jack Bratton, Rusty Mask, Frank Topping, Lamar Parker and Todd Brown. Wayne Lee, Dale Nichols, Mark Caruthers and Evan Merritt were absent. Terry Neal, Board Attorney, was present. Roberta Rogers, Director, and Aimee Webb, Board Secretary, were also present.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Bradley made a motion to approve the minutes from the ZAB Meeting from February 4, 2002. Mr. Bratton seconded the motion and the motion carried.

Mr. Story presented the Proof of Publication.

02S-1

George, Sr. & Sara Nash

George Nash was present and requesting a small-scale comprehensive plan amendment from Rural Residential to Commercial on 9.934 acres MOL. There were no objections from the audience. The Board questioned Mr. Nash as to his plans for the property. Mr. Nash stated he was proposing to utilize the property for warehouses. Mr. Topping made a motion to recommend approval to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Parker seconded the motion and the motion carried.

ZP2002-11

George, Sr. & Sara Nash

George Nash was present and requesting a rezoning from A5 to CL on 9.934 acres MOL. Mr. Story reminded Mr. Nash he was still under oath. There were 13 notices sent, none in favor and none in objection. There were no objections from the audience. There were no further questions or discussions from the Board. Mr. Topping made a motion to recommend approval to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

ZP2002-6

Kenneth W. & Marion Strong

Kenneth Strong was present and requesting a rezoning from A5 to RR1 on 7 acres MOL for the purpose of creating two parcels for lineal transfer. There were 10 notices sent, none in favor and one in objection. The objecting letter was read into record. Mr. Strong stated parcel one on the north side of C-48 would be going to his spouse. Mr. Topping made a motion to recommend approval to the Board of Sumter County Commissioners

based on the information provided in the staff report. Mr. Parker seconded the motion and the motion carried.

ZP2002-9

Jason Wayne Crenshaw

Jason Crenshaw was present and requesting to rezone from A5 to A10 on 16.22 acres MOL. There were 8 notices sent, none in favor and none in objection. There were no further questions or discussion from the Board. Mr. Topping made a motion to recommend approval to the Board of County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

ZP2002-12

Larry & Cheri Dasher

Larry and Cheri Dasher were present and requesting a rezoning from A5 to RR1C on 2 acres MOL for the purpose of lineal transfers. There were 4 notices sent, none in favor and none in objection. The Board questioned how it was a lineal transfer and Mrs. Dasher stated her grandmother had deeded them the property. Mr. Topping made a motion to recommend approval to the Board of County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

ZP2002-13

Natureland, Inc.

Steve Deputy, representative for Natureland, Inc., was present and requesting a rezoning from A5 to A10 on 19.62 acres MOL. There were five notices sent, one in favor and none in objection. There were no further questions or discussion from the Board. Mr. Topping made a motion to recommend approval to the Board of County Commissioners based on the information provided in the staff report. Mr. Bratton seconded the motion and the motion carried.

ZP2002-10

Nora & Wilfred Diaz

Nora and Wilfred Diaz were present and requesting a Temporary Use Permit to allow an RV as a temporary residence while the permanent residence is being constructed. The request is for one year. There were seven notices sent, two in favor and none in objection. The Board had questions regarding how long the Diaz's thought it would take to construct their residence. Mr. Diaz stated they were proposing to have the residence completed by May 2002. Mr. Topping made a motion to approve the Temporary Use Permit for one year to allow an RV as a temporary residence while the permanent residence is under construction. Mr. Parker seconded the motion and the motion carried.

02DRI-1

The Tri-County Villages

Jack Sullivan, representative for The Tri-County Villages, was present and requesting a change in the Villages DRI and the Sumter County Comprehensive Plan. There were 85 letters sent, one in favor and 15 in objection. There were several objections from the

audience. Mr. Story requested everyone requesting to speak be sworn in. The speakers were sworn in as follows: John Parker, Jack Sullivan, Nancy Linnan, Jennifer Nichols, Bob Farner, Jim Modica, Nicholas Andreyev, Dan Farnsworth, and Dick Norton. Mr. Sullivan showed a map of the location of the proposed and existing property locations. Mr. Sullivan explained the need to relocate the housing units and commercial development that were previously approved due to the existing property being used for additional churches and hospitals. Mr. Sullivan stated the external connection for the proposed location would be on CR 101, which would be four-laned with a turn lane up to the residential area. Mr. Sullivan stated research had been done on historic resources and listed species, which would be moved to the wildlife reserve. Mr. Sullivan stated the Future Land Use would be changed from Agricultural to PUD and the Urban Expansion Area would be expanded to include the change. The letters of objection were read into the record. Mr. Dick Norton, spokesperson for The Villages residents', submitted an overview of his testimony into record. Mr. Norton had questions regarding whether the land was part of the original DRI and requested information pertaining to the listed species. Mr. Norton requested a 30-day continuance for answers to be given regarding the residents' concerns. Mr. Farnsworth had concerns regarding the 90% rule in the Utilities Element in the Comp Plan, the demonstrated need, traffic issues, affordable housing, a PUD in the Agriculture area on the Future Land Use Map, and water resources in the area. Mr. Sullivan stated a traffic study had been done on C-466 indicating when it would need to be four-laned. Mr. Sullivan also explained five percent of the sales in the Villages was considered to be affordable housing, and the PUD was for the land use change, not the zoning. Mr. Andreyev stated an investigation had been done, in which Little Sumter Utilities would be supplying water and if additional water was needed, they would go to a lower flooring. Mr. Modica stated an evaluation for listed species had been done and the results were as follows: no eagles or eagle nests were found, approximately 15 gopher tortoises had been found and would be relocated to the wildlife preserve, no owls were found and one fox squirrel was found. Ms. Linnan addressed many of the concerns of the Villages' residents by explaining the myriad steps involved in having the DRI changed, as well as the Comp Plan. Ms. Linnan stated the premiums for the lots were due to the larger lots, not due to the surroundings. Ms. Linnan submitted signed site plans into record showing the future development surrounding the Villages Unit No. 35. Mrs. Robbie Rogers, Director of Planning and Development, was sworn in. Mrs. Rogers stated the 90% rule for the utilities element referred to open type uses, not land uses. Mrs. Rogers stated the major impacts have been looked at, a change would have a negligible effect on the County and the staff's recommendation was to approve the application. Mr. Topping questioned the types of homes that would be built and Mr. Parker stated it would be either designer or ranch series homes. Mr. Norton questioned if a wall would be built between the developments and Mr. Parker stated a buffer would be put in place, however, it would not be a wall. Mr. Story closed the public forum. Mr. Topping stated he felt it would be a positive change for the area and he supported the application. Mr. Topping made a motion to recommend approval to the Board of County Commissioners to transmit 02DRI-1, The Tri-County Villages, to Florida Department of Community Affairs: Comprehensive Plan Amendment to the Future Land Use Map based on staff's recommendation. Mr. Bratton seconded the motion and the motion carried with Mr. Parker and Mr. Bradley voting against.

Mr. Parker made a motion to adjourn the meeting. Mr. Mask seconded the motion and the motion carried.

The meeting adjourned at 8:00 p.m.

Larry Story, Chairman
Zoning & Adjustment Board